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09/765,960	01/19/2001	Mitsukazu Momosaki	ALPHA 3.0-001	9159
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	& ASSOCIATES, P.C	EXAMINER		
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Maywood, NJ 07607			ART UNIT	PAPER NUMBER
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			DATE MAILED: 04/01/2003	69

Please find below and/or attached an Office communication concerning this application or proceeding.

Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a innal rejection under 37 CFR 1.113 may only be either: (1) a timely field amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.  PERIOD FOR REPLY (check either a) or b)]  a) The period for reply expires 3 months from the mailing date of the final rejection.  The period for reply expires 3 months from the mailing date of the Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than sIX MONTH'S from the mailing date of the Advisory Action, or (2) the date set forth in the final rejection. ONLY CHECK THIS 80 WHEN THE FIRST REPLY WAS PILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(1).  Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension the have been filed is the date for purposes of determining the period of extension and the corresponding amount of the etc. The appropriate extension when the later than the petition under 37 CFR 1.136(a) and the appropriate extension the have been filed is the date for purposes of determining the period of extension and the corresponding amount of the etc. The appropriate extension which the petition is a set of the filed that term adjustment. See 37 CFR 1.704(b).  A Notice of Appeal was filed on Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.  (a) the proposed amendment(s) will not be entered because:  (b) the proposed amendment(s) will not be entered because:  (c)							
Examiner    Jason Prone   Jaso		Application No.	Applicant(s)	111			
Examiner   Jason Prone   3724	Advisory Action	09/765,960		IKAZU			
### REPLY FILED 11 March 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, Enther action by the applicant is required to avoid abandonment of this application. A proper reply to a insering estation under 37 CFR 1.13 may only be either; (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Rodice of Appeal (with appeal fee); or (3) a timely filed Rodice of Appeal (with appeal fee); or (3) a timely filed Rodice of Appeal (with appeal fee); or (3) a timely filed Rodice of Appeal (with appeal fee); or (3) a timely filed Rodice of Appeal (with appeal fee); or (3) a timely filed Rodice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.  a) The period for reply expires 2 months from the mailing date of the final rejection.  b) PERIOD FOR REPLY (check either a) or b);  The period for reply expires 2 months from the mailing date of the final rejection.  Only ChECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS form the mailing date of the final rejection. New PEP 70,000 from may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension see under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statistion period for reply originally as in the final rejection. See APP 37 CFR 1.70(b).  A Notice of Appeal was filed on Appellants Brief must be filed within the period set forth in 37 CFR 1.191(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.    A Notice of Appeal was filed on Appellants Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.    A Notice of Appeal was filed on Appellants Brief must be filed within the period set for the filed within any period of the filed within appeal	•						
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a) The period for reply expires <u>0</u> months from the mailing date of the final rejection.  The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will be statutory period for reply expires and to the final rejection.  ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTIONS. See MPEP  DATE OF THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTIONS. See WHEP  Extensions of the set of the state for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension centre is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension ender 37 CFR 1.13(e) is calculated from: (1) the expiration date of the shortness feature previous of the final rejection, even if intelly filed, may reduce any earned patent term adjustment. See 37 CFR 1.04(b).  A Notice of Appeal was filed on Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.  (a) they raise the issue of new matter (see Note below);  (b) they raise the issue of new matter (see Note below);  (c) they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  (d) they are not deemed to place the application in better form for appeal by materially rejected claims.  NOTE: See Appeal; and/or  (d) they are not deemed to place the application in better form for appeal by materially rejected claims.  NOTE: See Appeal; and/or  (d) they are not deemed to place the application in better form for appeal by materially rejected claims.  NOTE: The application is considered because it is not directed SOLELY to issues which were newly raised by the Exami	Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued						
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10. Other:	9. Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s)						
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Continuation of 5. does NOT place the application in condition for allowance because: the Burnaham patent anticipates claims 6-9, 11, 12, 15, and 17 as they are claimed. The arguments that Burnham does not have two identical blades and that these two identical blades both curve in two different dimensions is noted. The Examiner agrees with these two arguments, however, the structural limitations of these arguments are not found in claims 6-17. It is also noted that the Burnham patent does disclose that a single blade that curves in two dimensions. The first curve is shown in Figure 3 along the line from number 14 to 14, while the second curve is also shown in Figure 3 represented as item 15. In response to applicant's argument that Burnham is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See In re Oetiker, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, Burnham's apparatus is for crushing a brittle material which is claimed on the last line of applicant's claim 6. Finally, The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "space between one of the two opposing outer portions of said first and said second blade edges is less than the space between the other of said opposing outer portions..." must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.